

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
08-CR-71(JMR/JSM)

United States of America)
)
)
v.) ORDER
)
Jimmie Glen Mims (1))
Elizabeth Ann Nyberg (2))
and Robert Allen Kreisel (3))

Defendants Nyberg and Kreisel object to the Report and Recommendation, issued May 12, 2008 [Docket No. 89], by the Honorable Janie S. Mayeron, United States Magistrate Judge. The Report recommended denying defendants' motions to suppress statements and evidence. Defendants' objections to the Report were timely filed, pursuant to Local Rule 72.2.

Based upon a de novo review of the record herein, the Court adopts the Magistrate's Report and Recommendation.

Accordingly, IT IS ORDERED that:

1. Jimmie Glen Mims' Motion to Suppress Evidence Obtained as a Result of Search and Seizure is denied [Docket No. 39].
2. Elizabeth Ann Nyberg's Motion to Suppress Search and Seizure is denied [Docket No. 51].
3. Elizabeth Ann Nyberg's Motion to Suppress Statements is denied [Docket No. 52].
4. Elizabeth Ann Nyberg's Motion to Declare Title 21 U.S.C. § 841 Unconstitutional is denied [Docket No. 53].

5. Robert Allen Kreisel's Motion to Suppress Statements, Admissions, and Answers is denied [Docket No. 57].
6. Robert Allen Kreisel's Motion to Suppress Evidence Obtained as a Result of Search and Seizure is denied [Docket No. 61].
7. Robert Allen Kreisel's Motion to Declare Title 21 U.S.C. § 841(b)(1)(B)(vii) Unconstitutional is denied [Docket No. 69].

Dated: June 18, 2008

s/ JAMES M. ROSENBAUM
JAMES M. ROSENBAUM
United States Chief District Judge